

AGENDA
Public Safety Commission Meeting
August 27, 2015, 9:00 a.m.
6100 Guadalupe, Building E
Austin, TX 78752

The Public Safety Commission will convene as posted to consider and take formal action, if necessary, on the following agenda items:

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. PUBLIC COMMENT

(Members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must complete a Public Comment Registration Card located at the entry. Should a member of the public bring an item to the Commission for which the subject was not posted on the agenda of the meeting, state law provides that the Commission may receive the information but cannot act upon it at the meeting. The Commission may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion.)

IV. DIRECTORS REPORT

- A. Presentations
- B. Border Priority Information Requirements (Dashboard)

V. NEW BUSINESS

- A. Report by Texas Department of Public Safety Foundation
- B. Report, discussion, and possible action on Aircraft operations and structure
- C. Report, discussion, and possible action regarding carrying of weapons at open meetings of the Public Safety Commission
- D. Report, discussion, and possible action regarding non-commissioned employees carrying of weapons and members of public carrying of weapons in non-public secure portions of law enforcement facilities, Government Code 411.207(c)
- E. Report, discussion, and possible action regarding the proposed FY 2016 CAO Audit Strategy
- F. Report, discussion, and possible action on the FY 2016 Operating Budget
- G. Report and discussion on Drive Test Tablet Pilot
- H. Report and discussion on Contract Update

- I. Report, discussion, and possible action regarding delegation of contract signature authority pursuant to Government Code 2261.254(d)
- J. Report, discussion, and possible action regarding disclosure of financial interest with potential vendors pursuant to Government Code 2261.252(b)
- K. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:
 - 1. Amendments to 37 TAC Section 1.129, concerning Fees for Sale of Motor Vehicle Crash Reports in Highway Patrol Field Offices
 - 2. Amendments to 37 TAC Section 1.143, concerning Use of Unmanned Aircraft by a Law Enforcement Authority
 - 3. Simultaneous repeal of 37 TAC Section 1.231, concerning Procedures for Vendor Protests of Procurements and proposed new 37 TAC Sections 1.262 – 1.264, concerning Contracting
 - 4. Repeal of 37 TAC Section 3.146 and proposed new 37 TAC Section 8.7, concerning Prohibited Weapons
 - 5. New 37 TAC 8.21 and Section 8.22, concerning Unmanned Aerial Vehicles at the Capitol Complex
 - 6. New 37 TAC Chapter 12, concerning Compassionate-Use/Low-THC Cannabis Program
 - 7. Amendments to 37 TAC Sections 35.181 – 35.183 and new Section 35.185, concerning Active Military and Spouses – Special Conditions
 - 8. Simultaneous repeal of current 37 TAC Chapter 36, concerning Metals Registration and proposed new 37 TAC Chapter 36, concerning Metals Recycling Entities
- L. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

VI. ONGOING BUSINESS

Reports, discussion and possible action regarding the following:

- A. Update report, discussion and possible action regarding recruitment
- B. Report, discussion, and possible adoption of the following previously published rules:
 - 1. Amendments to 37 TAC Section 15.54, concerning Vehicle Inspection
- C. Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071
- D. Report, discussion, and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team

- E. Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

VII. REPORTS

- A. Commission member reports and discussion
- B. Finance Report
- C. Chief Auditors Office
- D. Division status reports on activities and action

VIII. CONSENT ITEMS

All of the following items may be enacted with one motion. These items are typically self-explanatory or have been previously considered by the Commission. There will be no separate discussion of these items unless a commissioner so requests.

- A. Advice and consent regarding the Director's determination that certain probationary employees were found unsuitable for work during June and July
- B. Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024: Special Rangers: Steven R. Anderson, Scott J. Garrison, James A. Lea, Manuel A. Lozano, James L. Kincheloe, Charlie S. Ramirez, Robert S. Ripps, and Michael B. Wilson
- C. Donations:
 - 1. Ten pieces of exercise equipment – THP, Abilene
 - 2. Additional donation items, as needed

IX. ITEMS FOR FUTURE AGENDA

X. DATE FOR FUTURE MEETING

Any discharge hearings will be scheduled on October 14, 2015, and the regular Public Safety Commission meeting is scheduled for October 15, 2015.

XI. ADJOURN INTO EXECUTIVE SESSION

(if required) to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the Director's action of discharging employees as identified in this agenda; ongoing criminal investigations

XII. ADJOURN

The Commission may take items out of the order in which they are posted on this agenda. Also, an item that has been adopted, passed upon, delayed or tabled for a later meeting may be considered or reconsidered at the same meeting.

The Public Safety Commission may meet and discuss in Executive Session and have action taken in an Open Meeting where required on the following items

Government Code Sec. 551.071 Consultation and deliberation with legal counsel about pending or contemplated litigation or a settlement offer, or on a matter where the Commissioners seek the advice of their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, and to discuss the Open Meetings Act and the Administrative Procedures Act with their attorney

Government Code Sec. 551.074 Appointment, employment, evaluation, reassignment, duties, discipline or dismissal of director, assistant director, and persons appointed to management team positions pursuant to Govt. Code Sec. 411.0071

Government Code Sec. 551.076 Deliberations about security audits, security devices, including deployment and implementation of security personnel and devices

Government Code Chapter 411, Sec. 411.0041 Ongoing criminal investigations

Government Code Sec. 551.072 Deliberation of the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third person

Government Code Sec. 551.073 Deliberation of a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person